

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE PACIFIC FERTILITY CENTER
LITIGATION

This Document Relates To All Cases

Case No. 3:18-cv-01586-JSC

**~~[PROPOSED]~~ ORDER GRANTING
ADMINISTRATIVE MOTION TO
ESTABLISH QUALIFIED
SETTLEMENT FUND AND APPOINT
ADMINISTRATOR**

Judge: Hon. Jacqueline Scott Corley

The Court **GRANTS** Plaintiffs’ Administrative Motion to Establish Qualified Settled Fund and Appoint Administrator. The Court finds that establishing this fund satisfies the qualified settlement fund requirements of Treas. Reg. § 1.468B-1(c) as:

- a) It is established pursuant to the Motion presented to this Court;
- b) It is established to resolve or satisfy one or more contested or uncontested claims that arise in alleged tort and/or result from an event or series of events giving rise to at least one claim asserting liability; and
- c) The assets of the fund will be segregated from other assets of the transferor.

THEREFORE, THIS COURT ORDERS:

1. The Fertility Cases Settlement Fund (the “Fund”) is approved, with the Court retaining jurisdiction thereof, and with the Fund established to receive current and potential future settlement monies from settling defendants involved in the underlying litigation before this Court.
2. The Fund is to be operated in a manner consistent with the rules of Treas. Reg. § 1.468B-1 and will remain open, in part, to receive payment(s) from the Defendant(s) identified in the Motion, in resolution and full and final satisfaction of one or more contested claims of clients of the Movants, here Claimants to the Fund.
3. The Court appoints Epiq Class Action & Claims Solutions, Inc. (“Epiq”), as the Fund Administrator (the “Fund Administrator”), pursuant to the terms, conditions, indemnifications, and restrictions described in the accompanying Motion, and the Fund Administrator is given the authority to conduct all activities necessary to administer the Fund, in accordance with the Motion.

4. The Fund shall be held at Huntington National Bank, a financial institution doing business in Columbus, Ohio but with a presence in California, according to the terms, conditions and restrictions described in the Motion.

5. The Fund Administrator is authorized to effect qualified assignments of any resulting structured settlement liability, qualified funding asset, or similar vehicle within the meaning of Section 130(c) of the Internal Revenue Code to the qualified assignee and to distribute all settlement sums pursuant to the Motion.

6. The Fund Administrator is authorized upon final distribution of all monies paid into the Fund, to take appropriate steps to wind down the Fund and thereafter be discharged from any further responsibility with respect to the Fund.

IT IS SO ORDERED:

June 24, 2022



HON. JACQUELINE S. CORLEY
United States District Judge